

**COLE SCHOTZ P.C.**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11  
: Case No. 16-12239 (SMB)  
NICHOLAS G. A. DENTON, :  
: Debtor.<sup>1</sup> :  
:  
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**GLOBAL NOTES TO SCHEDULES OF ASSETS AND LIABILITIES AND  
STATEMENT OF FINANCIAL AFFAIRS FOR THE DEBTOR**

These Global Notes are incorporated by reference in, and comprise an integral part of, the above-captioned debtor's (the "Debtor") Schedules of Assets and Liabilities (the "Schedules") and Statement of Financial Affairs (the "SOFA" and, together with the Schedules, the "Schedules and SOFA") and should be referred to and considered in connection with any review of the Schedules and SOFA.

On August 1, 2016, the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"). The Debtor has prepared the Schedules and SOFA pursuant to section 521 of the Bankruptcy Code and Rule 1007 of the Federal Rules of Bankruptcy Procedure.

Although the Debtor has made every reasonable effort to ensure that the Schedules and SOFA are accurate and complete at the time of preparation, subsequent information or discovery may result in changes to the Schedules and SOFA, and inadvertent errors or omissions may have occurred. The Schedules and SOFA remain subject to further review and verification by the Debtor. The Debtor reserves the right to amend the Schedules and SOFA from time-to-time as may be necessary or appropriate.

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<sup>1</sup> The last four digits of the Debtor's social security number are 1234.

### **Asset Presentation and Values**

In valuing the Debtor's assets for purposes of the Schedules, the Debtor has not sought current, third party market valuations of his assets. When necessary, the Debtor has indicated in the Schedules and SOFA that the value of certain assets (or liabilities) is "Unknown" or "Undetermined." The actual market value of the Debtor's assets and liabilities may vary materially from the value presented in the Schedules and SOFA.

The Debtor reserves the right to amend or adjust the value of each asset set forth herein and to add additional assets, as such information becomes available.

The omission of an asset on the Schedules and SOFA does not constitute a representation regarding the ownership of the asset, and any such omission shall not constitute a waiver of any rights of the Debtor with respect to that particular asset.

### **Insiders**

Where the Schedules and SOFA require information regarding "insiders," the Debtor has included information with respect to certain individuals who are related to him by affinity. Inclusion of information with respect to any such individuals is not intended to be a binding or legal characterization of such individual as an "insider," as defined under the Bankruptcy Code or any other applicable law. Additionally, the inclusion of information with respect to any such individual is not intended to be, nor shall it be, an admission of any fact, claim, right, or defense, including whether such disclosed payment was "on account of a debt," and the Debtor reserves any such rights, claims, and defenses.

### **SOFA 8**

In the ordinary course of business and his cash management, prior to the bankruptcy filing, the Debtor made transfers to a bank account owned by his husband and to a joint account owned by him and his husband for the sole purpose of funding the payment of household and living expenses. Those transfers are not on account of any antecedent debt and the existence of those transfers is listed for informational purposes only and in the interest of full disclosure.